

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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MELVIN EARL JACOBS, JR.,

Case No. 19-CV-2879 (PJS/HB)

Plaintiff,

v.

ORDER

COUNTY OF HENNEPIN, SCOTT  
COLLINS, JOHN DOE, and JANE ROE,

Defendants.

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Jordan S. Kushner, for plaintiff.

Christiana Martenson and James W. Keeler, Jr., HENNEPIN COUNTY  
ATTORNEY'S OFFICE, for defendants.

This matter is before the Court on defendants' motion for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c). Based on all of the files, records, and proceedings herein, and for the reasons stated on the record at the March 16, 2020 hearing, IT IS HEREBY ORDERED THAT:

1. Defendants' motion for judgment on the pleadings [ECF No. 13] is GRANTED IN PART and DENIED IN PART.
  - a. The motion is DENIED as to plaintiff's individual-capacity claim against defendant Collins under 42 U.S.C. § 1983 alleging deliberate indifference in failing to intervene earlier in an ongoing assault.

- b. The motion is DENIED as to plaintiff's negligence claim against defendant Collins for failure to intervene earlier in an ongoing assault.
- c. The motion is DENIED as to plaintiff's negligence claim against defendant Hennepin County for failure to follow its two-deputy policy at the time of the assault.
- d. The motion is GRANTED in all other respects, and all of plaintiff's remaining claims (including his claim for punitive damages) are DISMISSED WITHOUT PREJUDICE.

Dated: March 16, 2020

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge